GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LAW OFFICERS – Contempt Cases – Actual expenses incurred by the Government Pleaders in the Hon'ble High Court of Andhra Pradesh appearing in Contempt Cases filed against the Public Officials – Upper limit - Orders – Issued.

LAW (G) DEPARTMENT

G.O.Rt.No.108 **Dated:18.03.2023.**

Read the following:-

1. G.O.Ms.No.187, Law, dated: 06.12.2000.
2. The Hon'ble Supreme Court of India in Civil Appeal No. 8588-8589 of 1997, dated 09.12.1997 in the Commissioner, Agra and others Vs. Rohtas Singh & others.
3. The Hon'ble High Court of Andhra Pradesh in W.P.No.10773/91 dated 22.2.2002 Indira Seva Sadan, Santhosh nagar, Hyd Vs. Govt. of A.P. Law Department and others.
4. G.O.Rt.No.279, Law (G) Department, dated: 30.09.2021.

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ORDER:-

In the G.O. 4th read above, Government have enhanced remuneration to the Government Pleaders in the Hon'ble High Court of Andhra Pradesh appearing in contempt cases filed against the Public Officials in the State, from Rs.2,000/- (Rupees two thousand only) to Rs.5,000/-(Rupees five thousand only) per case and permitted them to claim actual expenses incurred by them in addition to the monthly consolidated honorarium.

2. Government after careful examination hereby fix an upper limit of Rs.3,000/- (Rupees three thousand only) Per Case but not for each contemnor or not each respondent towards actual expenses incurred by the Government Pleaders in Contempt Cases against the Public Officials.

3. In the order 2nd read above, the Hon'ble Supreme Court of India has held that,

> ....."the State is, therefore, entitled to authorise an law officer to appear in cases where the contempt consists of disobedience of an order of the court by an official or employee of the State".

4. In the order 3rd read above, the Hon'ble High Court of Andhra Pradesh has held that,

> ....."the State is an abstract entity. Its day to day administration is carried on by its agents or representatives or public servants. It is therefore, the duty of the State to defend the actions of its agents or representatives or public servants which they perform or discharge in the course of their official duties and while defending such actions, the State can make use of the services of the Advocate-General or the Government Pleader, as the case may be, whose salaries are paid from out of the public funds".

5. Government hereby direct that all the Government Pleaders in Hon'ble High Court of Andhra Pradesh have to invariably defend the Government Officials in the Contempt Cases as a part of their duty.

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6. This orders issues with the concurrence of Finance Department vide file No. FIN.U.O-STMT0MISC/23/2021,Computer No.1495873, Dated: 14.03.2023.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SATYA PRABHAKARA RAO
SECRETARY TO GOVERNMENT
LEGAL AND LEGISLATIVE AFFAIRS & JUSTICE

To

All the Government Pleaders in the High Court of Andhra Pradesh
through the Advocate General for the State of Andhra Pradesh, High Court Buildings, Nelapadu.
The Advocate General for the State of Andhra Pradesh, High Court Buildings Nelapadu.
The State Public Prosecutor, High Court Buildings, Nelapadu.
The Administrator, GP's Office, High Court Buildings Nelapadu.
The Registrar General, High Court of A.P., Nelapadu.
All Departments of Secretariat.
All the Heads of Departments.
All the District Collectors.
The Accountant General, Andhra Pradesh, Vijayawada.
The Pay and Accounts Officer, A.P., Anjaneya towers, Ibrahimptanm, Vijayawada.

Copy to : The P.S.to the Prl. Secretary to Hon'ble Chief Minister.
,, : P.S. to the Chief Secretary to Governmnet/
,, : P.S to the Secretary, Law Department.
,, : S/f and S/c.

//FORWARDED::BY ORDER//

SECTION OFFICER